IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO. 3 OF 2006
IN
NOTICE OF MOTION NO.393 OF 2005
IN
SUIT NO.3888 OF 1999

Shri Dinesh Bhagwandas Taliwal — Appellant
vs.
1. Smt.Rukmanidevi Bhagwandas Taliwal
& ors. — Respondents

Mr.S.K.Chaurasia i/b.Mr.A.M.Saraogi for the appellant.

CORAM : R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED : 10th January 2006

P.C.

Heard.

2. Taking overall facts and circumstances of the case, we are of the view that it would be in the fitness of things if Notice of Motion No.393/2005 is heard and disposed of by the learned motion Judge at an early date. We grant liberty to the plaintiff to apply to the learned motion Judge for fixing the hearing of the notice of motion at an early date.

3. With the aforesaid observations, appeal is dismissed in limine.

(R. M. LODHA, J.)

(ANOOP V. MOHTA, J.)